

1 The in personam criminal forfeiture money judgment amount of \$6,535.92 complies with
2 *Honeycutt v. United States*, ___ U.S. ___, 137 S. Ct. 1626 (2017).

3 This Court finds the United States of America published the notice of forfeiture in
4 accordance with the law via the official government internet forfeiture site, www.forfeiture.gov,
5 consecutively from August 8, 2015, through September 6, 2015, and September 29, 2017,
6 through October 28, 2017, notifying all potential third parties of their right to petition the Court.
7 Notices of Filing Proof of Publication, ECF Nos. 68 and 103.

8 This Court finds the United States of America notified known third parties by personal
9 service, or by regular mail and certified mail return receipt requested, of their right to petition the
10 Court. Notice of Filing Service of Process – Mailing, ECF No. 67.

11 On August 13, 2015, the United States Attorney's Office served The Estate of Earl W.
12 Cooley, c/o Terry Cooley with copies of the Preliminary Order of Forfeiture and the Notice
13 through regular mail and certified mail return receipt requested. Notice of Filing Service of
14 Process – Mailing, ECF No. 67.

15 This Court finds no petition was filed herein by or on behalf of any person or entity and
16 the time for filing such petitions and claims has expired.

17 This Court finds no petitions are pending with regard to the property named herein and
18 the time for presenting such petitions has expired.

19 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all
20 possessory rights, ownership rights, and all rights, titles, and interests in the property hereinafter
21 described is condemned, forfeited, and vested in the United States of America:

- 22 1. \$214.59 in United States Currency;
- 23 2. a 9 mm semiautomatic handgun, Intratec model TEC-9, serial number
24 ITEC65201; and
- 25 3. any and all ammunition
26 (all of which constitutes property); and

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1 that the United States recover from Phillip Allerson Vaughn the in personam criminal
2 forfeiture money judgment of \$6,535.92, and that the property will not be applied toward the
3 payment of the money judgment; and

4 the forfeiture of the money judgment and the property is imposed pursuant to Fed. R.
5 Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P. 32.2(c)(2); Title 18, United States Code,
6 Section 981(a)(1)(C) with Title 28, United States Code, Section 2461(c); Title 18, United States
7 Code, Section 924(d)(1) with Title 28, United States Code, Section 2461(c); Title 18, United
8 States Code, Section 924(d)(1), (2)(C), and (3)(A) with Title 28, United States Code, Section
9 2461(c); and Title 21, United States Code, Section 853(n)(7) and (p); that the money judgment
10 shall be collected; and that the property and the collected amount shall be disposed of according
11 to law.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited
13 funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well
14 as any income derived as a result of the United States of America's management of any property
15 forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of
16 according to law.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
18 of this Order to all counsel of record and three certified copies to the United States Attorney's
19 Office, Attention Asset Forfeiture Unit.

20 DATED this 13th day of February, 2018.

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24 UNITED STATES DISTRICT JUDGE
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